

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

November 12, 2010

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF 99od-024

OAHU

Amend Prior Board Action of August 12, 2010, D-14 Set Aside of State Land for a Microwave Tower Site at Puu Ualakaa, Honolulu, Oahu; Rescind Prior Board Action of February 14, 1986, Item F-12, TMK (1) 2-5-019:003 portion.

BACKGROUND:

On August 12, 2010, the Board amend its prior action of January 27, 1989, item F-8 and rescinded the action dated February 14, 1986, item F-12 regarding setting aside State lands for telecommunication purposes. A copy of the August 12, 2010 approved submittal is attached as Exhibit A.

During the process, staff notes that the August 12, 2010 submittal cited the incorrect prior action date in the Recommendation Section. The correct date should be January 27, 1989, but February 12, 1989 was used. Therefore, staff recommends the Board amend its prior action dated August 12, 2010 by replacing all references to the 1989 action to January 27, 1989. (revision underlined)

RECOMMENDATION: That the Board amend its prior action of August 12, 2010, item D-14 by replacing the date in Recommendation 2 with "January 27, 1989" (revision underlined)

Respectfully Submitted,



Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

August 12, 2010

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF 99od-024

OAHU

Amend Prior Board Action of January 27, 1989, Item F-8, Set Aside of State Land for a Microwave Tower Site at Puu Ualakaa, Honolulu, Oahu; Rescind Prior Board Action of February 14, 1986, Item F-12, TMK (1) 2-5-019:003 portion.

BACKGROUND:

On February 14, 1986, item F-12, the Board authorized the recommendation to the Governor for issuance of an executive order setting aside 200 square feet of State lands to Department of Accounting and General Services (DAGS) for the Oahu-Kauai Microwave System.

On February 27, 1989, under agenda item F-8, the Board authorized the recommendation to the Governor for issuance of an executive order setting aside 792 square feet to the Department of Budget & Finance for Puu Ualakaa Microwave Tower site. A copy of the submittal is attached as Exhibit A.

Staff understands the 1989 approval was to supersede the 1986 approval. Therefore, staff recommends the Board rescind its 1986 approval.

Notwithstanding those approvals in the 1980s, the set aside was held up because the subject area was to be withdrawn from the Round Top Forest Reserve, as approved by separate Board action. The withdrawal was not completed until early this year.

To finalize this outstanding request, staff recommends the Board amend its prior action of February 27, 1989, item F-8 by changing the applicant to DAGS, which is the current agency responsible for the facilities.

Further, staff recommends the Board amend the set aside purpose to telecommunication purpose, which is the subject of the related Conservation District Use Permit.

RECOMMENDATION: That the Board:

1. Rescind its prior Board action of February 14, 1986, item F-12.

APPROVED BY THE BOARD OF  
LAND AND NATURAL RESOURCES *JD*  
AT ITS MEETING HELD ON  
August 12, 2010

D-14

**EXHIBIT "A"**

2. Amend its prior Board action of February 27, 1989, item F-8 by:
  - A. Changing the applicant to the Department of Accounting and General Services;
  - B. Changing the set aside purpose to telecommunication purpose.

Respectfully Submitted,



Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:

  
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Laura H. Thielen, Chairperson 

JOHN WAINEE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF LAND MANAGEMENT  
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AQUACULTURE DEVELOPMENT  
PROGRAM  
AQUATIC RESOURCES  
CONSERVATION AND  
ENVIRONMENTAL AFFAIRS  
CONSERVATION AND  
RESOURCES ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

January 27, 1989

Board of Land  
and Natural Resources  
Honolulu, O'ahu, Hawai'i

Gentlemen:

O'AHU

Subject: Set Aside of State Land for a Microwave Tower  
Site at Puu Ualakaa, Honolulu, O'ahu

STATUTE

Chapter 171, Hawai'i Revised Statutes

APPLICANT

State of Hawai'i, Department of Budget and Finance,  
Telecommunications Branch

FOR

Set aside by an executive order of a 792 square-foot parcel  
contained in Parcel 3 of Tax Map Key 2-5-19, for a microwave  
tower site.

LOCATION AND AREA

LOCATION: Proposed Puu Ualakaa State Park, Honolulu, O'ahu  
CURRENT ENCUMBRANCE: In the process of cancelling set aside  
to Forestry & Wildlife as a forest  
reserve.  
TAX MAP KEY: 2-5-19: por. 3  
AREA: 792 square feet (Immediately adjacent to Tax Map  
Key 2-5-19: 11)

LAND TITLE STATUS

Subsection 5(b), State Admissions Act

ZONING

State Land Use Commission: Conservation (Resource)  
City & County of Honolulu: Preservation

APPROVED BY THE BOARD OF  
LAND AND NATURAL RESOURCES  
AT ITS MEETING HELD ON

1/27/89

**EXHIBIT**

CONSIDERATION

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REMARKS

On October 28, 1988, the Board under Agenda Item H-9, approved Conservation District Use Application (CDUA) No. OA-1724(A) filed by the Department of Budget & Finance to modify an existing telecommunication site at Puu Ualakaa, O'ahu. The proposed modification involved an increase in the size of the parcel from 200 square feet to 792 square feet.


The original CDUA No. OA-1724 was approved by the Board at its meeting of April 26, 1985. Subsequently, the Board on February 14, 1986 approved the set aside of the original 200 square foot parcel. Thus, this subject set aside would supercede the previous Board approval by increasing the parcel size to 792 square feet.


RECOMMENDATION

The Board recommends that the Governor of the State of Hawaii issue an executive order which would set aside the above-described area for the Puu Ualakaa Microwave Tower site and grant right-of-entry to the Department of Budget & Finance to construct, install, maintain, and repair the equipment building, tower, and landscaping subject to the following:

1. The Department of Budget & Finance shall comply with all terms and conditions imposed by the Board in approving CDUA No. OA-1724A;
2. The Department of Budget & Finance shall submit three (3) sets of survey parcel maps, and descriptions of the area for set aside;
3. Other terms and conditions as may be prescribed by the Chairperson.

Respectfully submitted,

  
MIKE K. SHIMABUKURO, Administrator  
Division of Land Management



APPROVED FOR SUBMITTAL:

  
WILLIAM W. PATY, Chairperson